

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FRANK CARBONE, ANDREW CORZO,
SAVANNAH ROSE EKLUND, SIA HENRY,
ALEXANDER LEO-GUERRA, MICHAEL
MAERLENDER, BRANDON PIYEVSKY, KARA
SAFFRIN, and BRITTANY TATIANA WEAVER,
individually and on behalf of all others similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA INSTITUTE
OF TECHNOLOGY, UNIVERSITY OF CHICAGO,
THE TRUSTEES OF COLUMBIA UNIVERSITY IN
THE CITY OF NEW YORK, CORNELL
UNIVERSITY, TRUSTEES OF DARTMOUTH
COLLEGE, DUKE UNIVERSITY, EMORY
UNIVERSITY, GEORGETOWN UNIVERSITY, THE
JOHNS HOPKINS UNIVERSITY, MASSACHUSETTS
INSTITUTE OF TECHNOLOGY, NORTHWESTERN
UNIVERSITY, UNIVERSITY OF NOTRE DAME DU
LAC, THE TRUSTEES OF THE UNIVERSITY OF
PENNSYLVANIA, WILLIAM MARSH RICE
UNIVERSITY, VANDERBILT UNIVERSITY, and
YALE UNIVERSITY,

Defendants.

Case No. 1:22-cv-00125

Hon. Matthew F. Kennelly

**JOINT STATUS REPORT
REGARDING ESI PROTOCOL**

The parties have reached agreement, through meeting and conferring in good faith over the last several weeks, on most aspects of the proposed Order Regarding Production of Electronically Stored Information and Paper Documents (the “ESI Protocol Order”), to be read together with and interpreted in light of the proposed order relating to the Family Educational Rights and Privacy Act (the “FERPA Order”). The parties are continuing to meet and confer in

an effort to resolve remaining disagreements, but may present on November 7, 2022, for the Court's resolution, disagreements on a limited number of aspects of the ESI Protocol Order.

The parties have reached agreement on most aspects of the ESI Protocol Order, including its general applicability, the relationship between the ESI Protocol Order and the proposed Confidentiality Order, the general production protocols, the nature and process for the assertion of clawbacks of documents, and the accessibility of ESI. The parties are continuing to meet and confer regarding the few remaining issues, including the categories of ESI that must be preserved, the requirements for disclosing document custodians or sources, and privilege-log requirements. The parties will attempt to reach compromise on the remaining issues.

Dated: October 14, 2022

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